

OVERVIEW

Title VI of the 1964 Civil Rights Act prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance. Specifically, Title VI provides that:

no person in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

This landmark act was a product of the growing demand during the 1960's for the Federal Government to launch a nationwide offensive against racial discrimination. In calling for its enactment, President John F. Kennedy identified "simple justice" as the justification for Title VI:

Simple justice requires that public funds, to which taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination. Direct discrimination by Federal, State or local governments is prohibited by the Constitution. But indirect discrimination, through the use of Federal funds, is just as invidious; and it should not be necessary to resort to the courts to prevent each individual violation.

SEE H.R. Misc. Doc. No. 124, 88 Cong., 1st Sess. 3,12 (1963).

Congress recognized the need for a statutory nondiscrimination provision such as Title VI to apply across the board "to make sure that the funds of the United States are not used to support racial discrimination." 110 Cong. Rec. 6544 Statement of Sen. Humphrey.

TITLE VI POLICY STATEMENT

The Stark County Regional Planning Commission/Stark County Area Transportation Study (SCRPC/SCATS) assures that no person shall, on the grounds of race, color, national origin, or sex as provided by Title VI of the Civil Rights Act of 1964 and the Civil Rights Restoration Act of 1987, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity. The SCRPC/SCATS further assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. In the event that the SCRPC/SCATS distributes federal funds to other governmental entities, subrecipients and developers, the SCRPC/SCATS will include the appropriate nondiscriminatory language in all written agreements.

TITLE VII

Title VII of the Civil Rights Act of 1964 says:

It shall be an unlawful employment practice for any employer... to fail or refuse to hire or to discharge any individual, or otherwise discriminate against any individual with respect to his compensation, terms, conditions, or privileges of employment, because of such individual's race, color, religion, sex or national origin.

The SCRPC is an Equal Employment Opportunity employer. It is the policy of the SCRPC to employ, train, compensate and make available all conditions and privileges of employment without consideration of an individual's race, color, religion, sex, physical or mental disability, or national origin. This policy includes reasonable accommodation for those employees with disabilities, in accordance with the American with Disabilities Act and other federal and state laws.

TITLE VIII

Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988 makes it illegal to discriminate in housing based on race, color, sex (including sexual harassment), religion, national origin, ancestry, handicap, familial status and military status.

The SCRPC through its Fair Housing Department is dedicated to the attainment of equal housing opportunities for all persons under the Fair Housing Law. The primary goal of the SCRPC is to assure that equal housing opportunity is provided to all.

HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974

Section 109 of the Housing and Community Development Act of 1974 and 1977, as amended, and in conformance with all requirements imposed pursuant to the regulations of the Department of Housing and Urban Development issued pursuant to that section; and in accordance with Equal Employment obligations of that Section, no person shall on the grounds of race, color, national origin, or sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part with Community Development funds.

It is the policy of the SCRPC to distribute HUD funds in conformance with all requirements imposed pursuant to law.

EEO COMPLIANCE OFFICER AND RESPONSIBILITIES

The Equal Employment Opportunity (EEO) Compliance Officer for the SCRPC is responsible for ensuring implementation of the aforementioned policies.

This Compliance Officer is responsible for supervising staff activities pertaining to the regulations and procedures as set forth pursuant to state and federal law and in accordance with SCRPC procedures. In support of this, the Compliance Officer will:

- Ensure that all aspects of the planning and programming process operation comply with Title VI, VII, VIII, the Housing and Community Development Act of 1974, as amended, National Affordable Housing Act of 1990 (HOME), Housing and Economic Recovery Act of 2008 (HERA) and American Recovery and Reinvestment Act of 2009 (ARRA).
- Meet with appropriate staff members to monitor and discuss progress, implementation and compliance issues.
- Maintain and update the procedures manual pertaining to the administration of SCRPC programs.
- Ensure inclusion of the appropriate language in Contracts and Requests for Proposals (RFP's) to ensure that all consultants comply with Title VI and HUD procedures and requirements.
- Identify, investigate and work to eliminate discrimination when found to exist.
- Process complaints.

PUBLIC PARTICIPATION

In December 2006, SCATS adopted a Public Involvement Process to further the involvement of the public in the decision-making process. The goal of this process is to encourage maximum public involvement between public officials, citizens and planners in order to foster informed decision-making. This document is an update to a previous plan adopted by the SCATS Policy Committee on May 16, 1994, and revised in 2001. This policy document is incorporated herein, and attached hereto, as the public participation process for the SCATS Title VI policy.

In 1974, the SCRPC created the Citizens' Advisory Council (CAC). The bylaws of the CAC state that the purpose of the CAC is to foster and maintain communications between SCRPC/SCATS and various representations from the community thinking about, as well as interested in, the plans and goals of the SCRPC/SCATS. It is the goal of the SCRPC to ensure that all members of the public are informed; that their issues and concerns are heard; and that their concerns are considered prior to any final decision.

The SCRPC, under contract with the Board of Stark County Commissioners has developed a public participation process that encompasses the federally funded Department of Housing and Urban Development Programs.

LIMITED ENGLISH PROFICIENCY (LEP)

To provide meaningful access to programs and services offered by the SCRPC, special attention is needed to ensure equal participation for persons with LEP. The SCRPC will make every effort to provide language assistance when requested.

TITLE VI ASSURANCES

The SCRPC/SCATS hereby certifies that, as a condition of receiving Federal financial assistance, it will ensure that:

1. No person on the basis of race, color, national origin or sex will be subjected to discrimination in the level and quality of transportation services and transit-related benefits.
2. The SCRPC/SCATS will compile, maintain and submit, in a timely manner, Title VI information required by Department of Transportation regulations.
3. The SCRPC/SCATS will make it known to the public that those person or persons alleging discrimination on the basis of race, color, national origin or sex, as it relates to the provision or transportation services and transit-related benefits, may file a complaint with the Federal Transit Administration and/or the U.S. Department of Transportation.

COMPLAINT PROCEDURES

Title VI of the Civil Rights Act of 1964 and Section 109 of the Housing and Community Development Act of 1974 and 1977 state in part:

No person...shall, on the ground of race, color, sex or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part by...Federal financial assistance.

The SCRPC has in place a Complaint Procedure, which outlines a process for the disposition of complaints. Any person who feels that he or she, individually or as a member of any class of persons, on the basis of race, color, religion, age, sex, physical or mental disability or national origin has been excluded from or denied the benefits of or has been subjected to discrimination caused by the SCRPC may file a written complaint with the SCRPC Staff Counsel.